

CHAPTER 6.

IN RELATION TO CHARLESTON TOWNSHIP, LEE COUNTY.

FEBRUARY 5. AN ACT to Amend Section one of Chapter Thirty-six, of the Acts of the Eleventh General Assembly of the State of Iowa, entitled, An Act to annex the Township of Charleston, in the County of Lee, to the Townships of Jackson, Montrose, Des Moines, and Van Buren, in said county, for Judicial Purposes.

1866, ch. 36. *of the State of Iowa*, That section one of chapter Charleston thirty-six of the acts of the Eleventh General tp., Lee co., Assembly, be and the same is hereby amended, by annexed to Jackson, &c., adding, next after the word "judicial," as it occurs in tps. for rev- the fifth and eighth lines of said section, the words enue pur - "and revenue," so that it shall read in all places for poses. "judicial and revenue purposes."

Taking effect. SEC. 2. This act shall take effect and be in force from and after its publication once each in the Daily Without ex- Gate City and The Constitution, newspapers pub- pense to the lished in the city of Keokuk, without expense to the State. State.

Approved February 5, 1868.

I hereby certify that the foregoing act was published in the *Gate City* February 8, 1868, and in the daily *Constitution* February 9, 1868.

ED WRIGHT, *Secretary of State.*

CHAPTER 7.

SHIP-CANAL AT THE DES MOINES RAPIDS.

FEBRUARY 5. AN ACT Granting to the United States Government the right of way for a Ship Canal around the Des Moines or Lower Rapids in the Mississippi River, on the Iowa side.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the United States govern- U. S. Gov't ment, now constructing a canal over and around the may take land, &c., for lower rapids of the Mississippi river, may take and ship canal. hold, in accordance with the provisions of article three, chapter fifty-five, of the Revision of 1860, so much Rev. 1860, ch. land with any improvements thereon, as may be neces- 55. sary for the location, construction, and convenient use

of said canal, and also to take, remove and use, for the construction and repair of said canal, any earth, gravel, stone, timber, or other material, not only from the land taken for the canal itself, but from other adjacent lands if the same shall become necessary, and in the absence of any agreement between the United States government or its authorized agents and the owners of such lands and material, in regard to the compensation therefor, the same shall be ascertained and determined by commissioners to be appointed by the sheriff of Lee county, Iowa, in conformity with the provisions of article three, chapter fifty-five of the Revision aforesaid: *provided*, the land so taken, otherwise than by the consent of the owners, shall not exceed fifteen hundred feet in width.

May remove material from adjacent lands.

Sheriff of Lee county to appoint commissioners to determine compensation.

SEC. 2. When the United States officer having charge of said work, or the contractors under him, shall find it necessary in the construction of said canal to borrow or use material from adjacent lands, and consent cannot be obtained from, or the price thereof agreed upon with, the owners, said commissioners, appointed as aforesaid, shall assess the damages which the owners thereof will sustain, the same to be paid out of any appropriation made by Congress for that purpose, which damages shall be paid under and according to the provisions of article three, chapter fifty-five, of the Revision of 1860, saving to the parties the right of appeal as therein provided, or to the proper court having jurisdiction thereof, notice of which appeal shall be given to the officer having charge of such work, and all the provisions of said article and chapter aforesaid, not inconsistent with the provisions of this act, shall be applicable to the proceedings under and in pursuance of this act.

Commissioners to assess damages.

Right of appeal saved.

SEC. 3. This act, being deemed by the General Assembly of the state of Iowa of immediate importance, shall take effect and be in force from and after its publication in the State Register, a newspaper published at Des Moines, Iowa, and the Daily Gate City, a newspaper published at Keokuk, Iowa.

Approved February 5, 1868.

I hereby certify that the foregoing act was published in the *State Register* February 8, 1868, and in the *Daily Gate City* February 8, 1868.

ED WRIGHT, *Secretary of State*.